



## State of Utah

### Department of Natural Resources

MICHAEL R. STYLER  
*Executive Director*

### Division of Oil, Gas & Mining

MARY ANN WRIGHT  
*Acting Division Director*

JON M. HUNTSMAN, JR.  
*Governor*

GARY R. HERBERT  
*Lieutenant Governor*

May 10, 2005

Greg Lang  
Barrick Resources (USA) Inc.  
136 East South Temple Street, Suite 1300  
Salt Lake City, Utah 84111

Subject: Formal Approval of Replacement Reclamation Contract and Reclamation Surety, Barrick Resources (USA), Inc., Mercur Mine, M/045/017, Tooele County, Utah

Dear Mr. Lang:

On May 5, 2005 and May 6, 2005 respectively, the Acting Director of the Division of Oil, Gas and Mining and the Board Chairman of Oil, Gas and Mining formally approved the form and amount of replacement reclamation surety for Barrick Resources Mercur mine.

At Barrick's request and concurrence from the Board of Oil, Gas and Mining on February 17, 2005, the Division authorized release of 775.3 acres of disturbed area; thus reducing the reclamation obligation from \$8,509,500 to \$4,766,352 for the remaining 403.7 acres.

Enclosed please find copies of the fully signed and executed Amended Reclamation Contract and Amended Self Bonding and Indemnity Agreement for your files.

As always, it is a pleasure doing business with your company, and look forward to a continued working relationship.

Sincerely,

Susan M. White  
Mining Program Coordinator  
Minerals Regulatory Program

SMW:jb

Enclosure: Copies of Amendments to RC & Self Bond

cc: David Deisley, Regional Counsel, North American w/Enclosures  
O:\M045-Tooele\m0450017-mercur\final\Apv-AmendedRC.doc

RECLAMATION CONTRACT

File Number M/045/017

Effective Date February 17, 2005

**STATE OF UTAH**  
**DEPARTMENT OF NATURAL RESOURCES**  
**DIVISION of OIL, GAS and MINING**  
1594 West North Temple Suite 1210  
Box 145801  
Salt Lake City, Utah 84114-5801  
(801) 538-5291  
Fax: (801) 359-3940

**RECEIVED**

**MAY 04 2005**

**DIV OF OIL GAS & MINING**

**AMENDEMENT TO RECLAMATION CONTRACT**

---ooOoo---

The State of Utah, Department of Natural Resources, Division of Oil, Gas and Mining ("Division"), and Barrick Resources (USA), Inc. and Barrick Gold Corporation (collectively "Barrick") are parties to a Reclamation Contract dated February 26, 1998 ("Reclamation Contract"). Pursuant to an Order of the Board of Oil, Gas and Mining ("Board") dated February 17, 2005 ("Order"), Barrick's obligations under the Reclamation Contract have been partially released. This AMENDMENT TO RECLAMATION CONTRACT ("Amendment") modifies the Reclamation Contract consistent with the Board's Order. Except as expressly modified in this Amendment, the Reclamation Contract remains in full force and effect.

The following definitions of the Reclamation Contract are modified as provided:

**"DISTURBED AREA":**

(Disturbed Acres)  
(Legal Description)

403.7 acres  
(Refer to Attachment A)

**"OPERATOR'S REGISTERED AGENT":**

(Name)  
(Address)

Greg Lang  
136 East South Temple St.  
Suite 1300  
Salt Lake City, UT 84111  
801 990-3900

(Phone)

**"OPERATOR'S OFFICER(S)" & TITLE:**

Bill Ferdinand  
Director, Environmental,  
Health and Safety

SURETY":

(Form of Surety - Attachment B)

Self

"SURETY AMOUNT":

(Escalated Dollars)

\$4,766,352

ATTACHMENTS:

A "DISTURBED AREA"

B "SURETY"

Each signatory below represents that he/she is authorized to execute this Contract on behalf of the named party.

OPERATOR:

Barrick Resources (USA), Inc.

Barrick Gold Corporation

By

  
\_\_\_\_\_  
Gregory A. Lang  
Vice President

By

  
\_\_\_\_\_  
Gregory A. Lang  
Vice President,  
North American  
Operations

Date

May 3, 2005

Date

May 3, 2005

DIVISION OF OIL, GAS AND MINING:

By

  
\_\_\_\_\_  
Mary Ann Wright  
Acting Director

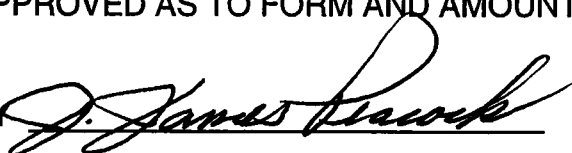
Date

5/5/05

SO AGREED THIS 6 day of May, 2005.

APPROVED AS TO FORM AND AMOUNT OF SURETY:

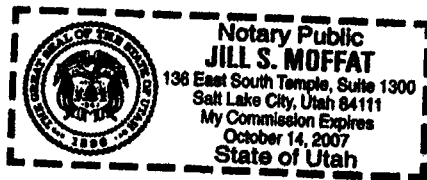
BY

  
\_\_\_\_\_  
J. James Leach

J. James Peacock, Chair  
Utah State Board of Oil, Gas and Mining

STATE OF UTAH                    )  
  ) ss:  
COUNTY OF SALT LAKE        )

On the 3<sup>RD</sup> day of May, 2005, personally appeared before me Gregory A. Lang, who being by me duly sworn did say that he is the Vice President of Barrick Resources (USA), Inc. and duly acknowledged that said instrument was signed on behalf of said company by authority of its bylaws or a resolution of its board of directors and duly acknowledged to me that said company executed the same.

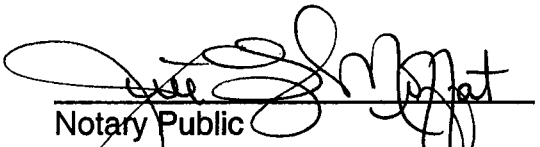


  
Notary Public  
Residing at: Salt Lake City, Utah  
My Commission Expires: 10-14-07

STATE OF UTAH                    )  
  ) ss:  
COUNTY OF Salt Lake        )

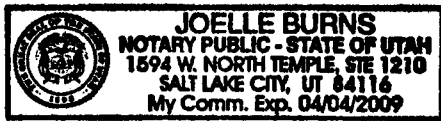
On the 3<sup>RD</sup> day of May, 2005, personally appeared before me Gregory A. Lang, who being by me duly sworn did say that he is the Vice President, North American Operations of Barrick Gold Corporation and duly acknowledged that said instrument was signed on behalf of said company by authority of its bylaws or a resolution of its board of directors and duly acknowledged to me that said company executed the same.



  
Notary Public  
Residing at: Salt Lake City, Utah  
My Commission Expires: 10-14-07

STATE OF UTAH )  
 ) ss:  
COUNTY OF SALT LAKE )

On the 5<sup>th</sup> day of may, 2005, personally appeared before me Mary Ann Wright, who being by me duly sworn did say that she is the Acting Director of the Division of Oil, Gas and Mining, Department of Natural Resources, State of Utah, and she duly acknowledged to me that she executed the foregoing document by authority of law on behalf of the State of Utah.



Joelle Burns  
Notary Public  
Residing at: SLC Utah  
My Commission Expires: April 4, 2009

## **ATTACHMENT "A"**

Operator: Barrick Resources (USA), Inc.  
Mine: Mercur Mine  
Tooele and Utah Counties, Utah

Permit Number: M/045/017

### **LEGAL DESCRIPTION**

Approximately 403.7 acres of land situated in portions of:

Sections 4, 5, 6, 7, and 8  
Township 6 South, Range 3 West

and

Sections 32  
Township 5 South, Range 3 West

Salt Lake Base and Meridian, Tooele and Utah Counties, Utah

depicted as "Regraded/Reseeded, Not Seeking Release" (165.239 acres), "Monitoring, Geotechnical Stability" (15.519 acres), "Variance Areas" (186.720 acres), and "Unreclaimed" (36.297 acres) on the attached drawing labeled "Mercur General Site Plan, Revised 2004 Proposed Surety Release Areas (Contours), prepared by Golder Associates, Denver, Colorado, dated December 13, 2004.

**ATTACHMENT "B"**

File Number M/045/017

SELF BONDING AND INDEMNITY AGREEMENT

Effective Date February 17, 2005

**STATE OF UTAH**  
**DEPARTMENT OF NATURAL RESOURCES**  
**DIVISION of OIL, GAS and MINING**  
1594 West North Temple Suite 1210  
Box 145801  
Salt Lake City, Utah 84114-5801  
(801) 538-5291  
Fax: (801) 359-3940

**AMENDMENT TO SELF BONDING AND INDEMNITY AGREEMENT**

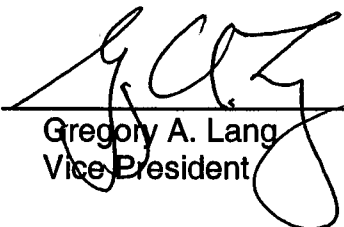
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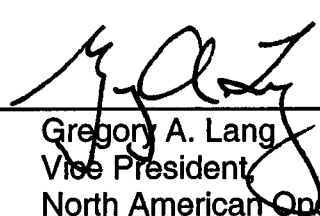
The State of Utah, Department of Natural Resources, Board of Oil, Gas and Mining ("Board"), and Barrick Resources (USA), Inc. and Barrick Gold Corporation (collectively "Barrick") are parties to a Self Bonding and Indemnity Agreement dated February 2, 1998 ("Bonding Agreement"). Pursuant to an Order of the Board of Oil, Gas and Mining ("Board") dated February 17, 2005 ("Order"), Barrick's obligations under the Bonding Agreement have been partially released. This AMENDMENT TO SELF BONDING AND INDEMNITY AGREEMENT ("Amendment") modifies the Bonding Agreement consistent with the Board's Order. Except as expressly modified in this Amendment, the Bonding Agreement remains in full force and effect.

1. Greg Lang, Vice President, 136 East South Temple Street, Suite 1300, Salt Lake City, Utah 84111 is designated by Barrick as the agent for service of process in the State of Utah.
2. All references in the Bonding Agreement to the sum of \$8,509,500 are deleted and replaced by the sum of \$4,766,352.

Barrick Resources (USA), Inc.

Barrick Gold Corporation

By   
\_\_\_\_\_  
Gregory A. Lang  
Vice President

By   
\_\_\_\_\_  
Gregory A. Lang  
Vice President,  
North American Operations

Date May 3, 2005

Date May 3, 2005

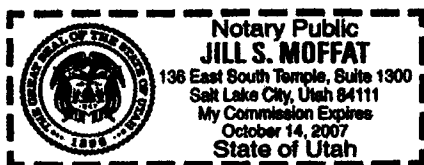
SO AGREED THIS 6 day of May, 2005.

BY

J. James Peacock  
J. James Peacock, Chair  
Utah State Board of Oil, Gas and Mining

STATE OF UTAH                    )  
  ) ss:  
COUNTY OF SALT LAKE    )

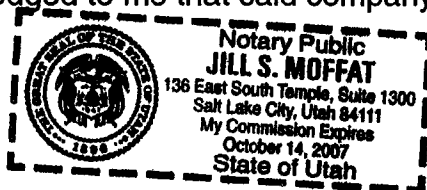
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Jill S. Moffat  
Notary Public  
Residing at: Salt Lake City, Utah  
My Commission Expires: 10-14-07

STATE OF UTAH                    )  
  ) ss:  
COUNTY OF Salt Lake)

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Jill S. Moffat  
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My Commission Expires: 10-14-07